

CHAPTER 58

(House Bill 437)

AN ACT concerning

Collection Agencies - Licensing Board - Regulation, Licensing, Bonding, and Enforcement

FOR the purpose of providing for annual renewal of licenses for collection agencies; clarifying the definition of "collection agency"; clarifying the venue provisions for suit by the Collection Agency Licensing Board against violators of the law; granting certain enforcement authority to the Collection Agency Licensing Board; establishing and limiting a civil fine for certain violations; providing that a certain bond already required covers violations of the Maryland Consumer Debt Collection Act ~~and the federal Fair Debt Collection Practices Act~~; providing for an appeal to the circuit court by any person aggrieved by an action of the Board; and generally relating to ~~the enforcement powers of the Collection Agency Licensing Board~~ the Collection Agency Licensing Board and the licensing and regulation of collection agencies.

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 7-101, 7-205, 7-302, 7-303, 7-304, and 7-309

Annotated Code of Maryland

(1992 Volume and 1995 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Business Regulation

7-101.

- (a) In this title the following words have the meanings indicated.
- (b) "Board" means the State Collection Agency Licensing Board.
- (c) "Collection agency" means a person who:
 - (1) engages directly or indirectly in the business of collecting for, or soliciting from another, a consumer claim;
 - (2) in collection of a consumer claim by its owner, uses a name or other artifice that indicates that another party is attempting to collect the consumer claim; [or]
 - (3) gives, sells, attempts to give or sell to another, or uses, for collection of a consumer claim, a series or system of forms or letters that indicates directly or indirectly that a person other than the owner is asserting the consumer claim; OR